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971

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Raymond J. Bergeron, Jr.

Reissue of U. S. Patent No.: 6,083,966

Title: THIAZOLINE ACID DERIVATIVES

Date: 10-17-01

EXPRESS MAIL LABEL NO. EJ09429289745

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- ☒ under 37 CFR 1.97(b), or  
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)
- ☐ under 37 CFR 1.97(i):  
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.  
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☒ Copies of the cited references are enclosed.
- ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☒ The "concise explanation" requirement (non-English references) for references AN, AO, AP and AX under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☒ the enclosed English language abstracts AR, AS and U.S. Patent AE for AN, AO and AP respectively and by the English summary on page 2138 of AX for AX..

☐ Applicant requests that the following pending applications be considered:

Examiner's  
Initials

\_\_\_\_ U.S. Patent Application No. [ ], Publication No. [ ], Publication Date [ ],  
by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_ U.S. Patent Application No. [ ], Publication No. [ ], Publication Date [ ],  
by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_ U.S. Patent Application No. [ ], Publication No. [ ], Publication Date [ ],  
by [inventor(s)], filed [ ], Docket No.: [ ]

\_\_\_\_\_  
Examiner

\_\_\_\_\_  
Date

☐ A copy of each above-cited application, including the current claims, is enclosed.

☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

☐ Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.

☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By



Linda M. Chinn

Registration No.: 31,240

Telephone (978) 341-0036

Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: *October 17, 2001*

PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.  
2134.2006-001

APPLICATION NO.

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

July 29, 2001

(Use several sheets if necessary)

APPLICANT  
Raymond J. Bergeron, Jr.

FILING DATE

GROUP

10971 U.S. PTO  
09/981586

10/17/01

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA	3,809,754	05/07/74	Bertrand	424	270	
	AB	3,882,110	05/06/75	Clemence, et al.	260	247.1	
	AC	4,367,233	01/04/83	Clark, et al.	424	270	
	AD	4,406,905	09/27/83	Zähner, et al.	424	263	
	AE	4,457,936	07/03/84	Draeger, et al.	424	270	
	AF	5,840,739	11/24/98	Bergeron, Jr.	514	365	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AL	1292 170	11/10/72	United Kingdom			
	AM	1320534	13/06/73	Great Britain			
	AN	2245 560	21/03/74	Germany			
	AO	2 247 243	09/05/75	France			
	AP	30 02 989	30/07/81	Germany			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AR	Abstract for Accession Number 80:146142 from Chemical Abstract Database.
AS	Abstract for Accession Number 83:206330 from Chemical Abstract Database.
AT	Bergeron, "Iron: A Controlling Nutrient in Proliferative Processes," Trends in Biochem. Sci., 11:133-136 (1986).

EXAMINER

DATE CONSIDERED

*[Handwritten Signature]*

*10/02*

PTO-1449 REPRODUCED

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2134.2006-001

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(Use several sheets if necessary)

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Raymond J. Bergeron, Jr.

FILING DATE

GROUP

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

- |     |  |
|-----|--|
| AU  | Bergeron, et al., "Synthesis and Biological Evaluation of Hydroxamate-Based Iron Chelators," <i>J. Med. Chem.</i> , 34:3182-3187 (1991).   |
| AV  | Bergeron, et al., "A Comparison of the Iron-Clearing Properties of 1,2-Dimethyl-3-Hydroxypyrid-4-One 1,2-Diethyl-3-Hydroxypyrid-4-One and Deferoxamine," <i>Blood</i> , 79:1882-1890 (1992).                 |
| AW  | Bergeron, et al., "The Desferrithiocin Pharmacophore," <i>J. Med. Chem.</i> , 34:1411-1417 (1994).   |
| AX  | Bickel, et al., "Metabolic Properties of Actinomycetes. Ferrioxamine B," <i>Helv. Chim. Acta</i> , 43:2129-2138 (1960).  |
| AY  | Brittenham, "Pyridoxal Isonicotinoyl Hydrazone: An Effective Iron-Chelator After Oral Administration," <i>Semin. Hematol.</i> , 27:112-116 (1990).   |
| AZ  | Finch, et al., "Ferrokinetics in Man," <i>Medicine (Baltimore)</i> , 49:17-53 (1970).  |
| AR2 | Finch, et al., "Perspectives in Iron Metabolism," <i>N. Engl. J. Med.</i> , 306:1520-1528 (1982).  |
| AS2 | Finch, et al., "Iron Metabolism," <i>Clin. Physiol. Biochem.</i> , 4:5-10 (1986).  |
| AT2 | Ganguly, P.K., and Gupta, B.M., "Antiviral Activity of Isoquinolines Carbazoles and Other Miscellaneous Synthetic Chemicals in Mice," <i>Indian J. Med. Res.</i> , 63(10):1418-1425 (1975).                  |
| AU2 | Grady, et al., "Rhodotorulic Acid-Investigation of its Potential as an Iron-Chelating Drug," <i>J. Pharmacol. Exp. Ther.</i> , 209:342-348 (1979).   |
| AV2 | Grady, et al., "HBED: A Potential Oral Iron Chelator," <i>Ann. N.Y. Acad. Sci.</i> , 612:361-368 (1990).   |
| AW2 | Guterman, et al., "Feasibility of Enterochelin as an Iron-Chelating Drug: Studies with Human Serum and a Mouse Model System," <i>Gen. Pharmac.</i> , 9:123-127 (1978).                                       |
| AX2 | Hallberg, "Bioavailability of Dietary Iron in Man," <i>Ann. Rev. Nutri.</i> , 1:123-147 (1981).  |
| AY2 | Hoffbrand, "Transfusion Siderosis and Chelation Therapy," <i>Iron in Biochemistry and Medicine</i> , Volume II, page 449, (London, 1980).  |
| AZ2 | Kishore, V., et al., "Synthesis of $\alpha$ -Poly-[N <sup>e</sup> -(2-aryl- $\Delta^2$ -thiazoline-4-carbonyl)-L-lysines] with Antiviral Activity," <i>Indian Journal of Chemistry</i> , 15B:255-257 (1977). |
| AR3 | Kontoghiorghe, et al., "1,2-Dimethyl-3-hydroxypyrid-4-one, an Orally Active Chelator for the Treatment of Iron Overload," <i>Lancet</i> , 1:1294-1295 (1987).  |

EXAMINER

DATE CONSIDERED




